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14 October 1966

MEMORANDUM FOR THE RECORD

SUBJECT: CIA Retirement by Executive Action of the
Director for a Limited Number of CSCS
Careerists

1. This memorandum presents a recommendation for approval of the Director. This recommendation is contained in paragraph 10.
2. In explaining the purposes and principles of the proposed CIA Retirement and Disability System to the Congress, it was emphasized that "factors directly related to the nature and conditions of service in the intelligence field and factors affecting the ability and desire of individuals to remain in such work on a long-term basis make it infeasible to provide full-term employment for all careerists." Among such factors the term "motivational exhaustion" was used to describe "a gradual lessening of interest and enthusiasm of an officer as a result of impingements on his personal and family life." Other examples included officers who have become identified by foreign intelligence and counter-intelligence services and those whose capabilities and skills were no longer required and who could not reasonably be deployed.
3. With respect to participation in the System, Section 205 of PL 80-643 provides that "The Director may designate from time to time such Agency officers and employees whose duties are determined by the Director to be (i) in support of Agency activities abroad hazardous to life or health or (ii) so specialized because of security requirements as to be clearly distinguishable from normal government employment."
4. A statutory requirement for either voluntary retirement or involuntary retirement is the performance of five years of qualifying service. In practice, the Agency and the CIA Retirement Board have principally dealt with overseas service and hazardous duty (in the literal sense) as being qualifying service. In attempting to establish detailed criteria for qualifying service other than overseas and hazardous duty, no definitive criteria have yet been established. Rather than attempt to push this issue through the Board procedures, which have been and should continue to be evolutionary in character, it is believed appropriate that

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certain special cases be handled by decision of the Director of Central Intelligence. Thus, the Board may continue its handling of actions which constitute the bulk of the cases and which usually involve far reaching precedents. In effect, we are suggesting that in certain cases the Director should take a broader view of what constitutes qualifying service and that the Board and other individuals in the Agency not be brought into this decision-making process. It is believed that the regulations, the statute, and the explanations furnished to our congressional committees afford a sound basis for a broader interpretation of qualifying service than has been applied in fact up to date.

5. The Clandestine Services is now completing the review of all Clandestine Services personnel to designate eligible employees as participants in the System. During the course of this review it has become apparent that there are a number of Clandestine Services personnel who have performed well for many years, who meet all the criteria required by the CIA Retirement System excepting only that they have not and probably will not meet the requirement of 60 months of qualifying duty as presently viewed in fact by the Agency and by the Retirement Board. Certain of these individuals nevertheless appear to warrant consideration for participation and retirement under the CIA Retirement System. In the sense that the majority of our people are called upon from time to time to serve "above and beyond the call of duty," these individuals no longer possess the capability to perform in that fashion for periods equivalent to a tour of duty. Hence, for a variety of causes, the use of these people in clandestine operations is tending to diminish and, as time goes on, to become more limited in scope. In the best interests of all concerned, it is believed that a broader view of qualifying service should be considered in certain of these cases within the discretionary power of the Director.

6. The causal factors mentioned in the preceding paragraph fall generally into the following categories: requirements in CIA for the particular skills and capabilities of these individuals have ceased to exist; the validity of their coverture is no longer supportable; they are medically qualified but no longer willing to undertake and/or able to fulfill CS assignments which frequently demand dynamic response or encompass strident living conditions or require continuously long hours of concentrated duty, or all of these. At the same time, the individuals concerned would be willing to leave the Agency and relinquish their career involvement

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with foreign intelligence activities only if the financial penalties and hazards of changing employment are mitigated by eligibility for an immediate annuity under the CIA Retirement System. It is proposed therefore that where appropriate the Director designate such officers as herein described on a case-by-case basis as participants in the CIA Retirement and Disability System, with retirement at the respective dates fixed by their Career Service.

7. Certain Clandestine Services officers have already been identified in this connection. These individuals desire to retire soon, before their date of eligibility under the alternative Civil Service Retirement System. The loss of their services would not adversely affect the work of the Clandestine Services. All meet the following criteria:

(1) They are 50 years or more in age and have served 20 years in the Federal Government and 10 years in CIA.

(2) They have signed Service Obligation to serve when and where needed.

(3) Despite their willingness to serve overseas, the needs of the Service have kept them principally in domestic assignments.

(4) They have served overseas for significant periods, although totalling less than 60 months in duration.

(5) They desire to retire and have set a date certain for their retirement.

(6) Their retirement will serve the mutual interests of the Career Service and the individual.

8. We are prepared to submit these cases for the Director's consideration after careful screening by the Clandestine Services Career Service Board. The number presently falls short of ten and while others may be identified at a later date, we would expect the total always to be small. In view of the limited number of cases falling under this construction, it seems clear that a reasonable number of retirements, say an initial 20 in number, can be completed by executive action within the legal limitation of

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400 retirements for the five-year period ending in October 1989 without adversely affecting the effective functioning of the System, as such. To date there have been 47 retirements within the System and our projections indicate the total will fall considerably short of the 400 authorized. There is no question of adverse action since their retirement will be a matter of mutual consent.

9. In view of the fact that each case requires subjective judgment as to the individual's future usefulness to the Agency and as to the disadvantage he may be under in seeking other employment, it is clearly important that the recommendation of the Career Service concerned and the decisions of the Director in regard thereto do not become accepted as precedents for other cases through general knowledge and discussion. It is therefore proposed that each case be presented to the Director on an EYES ALONE basis by the Career Service, through the Deputy Director concerned and the Director of Personnel, in his capacity as principal administrator of the CIA Retirement System.

10. It is recommended that the Director, acting where appropriate on case-by-case proposals of the respective Deputy Directors, designate such Agency employees as participants in the CIA Retirement and Disability System and simultaneously approve their retirements at dates determined to be in the best interests of the Agency.

[Redacted Signature]

Vice Chairman
Clandestine Services
Career Service Board

Approve:

/s/ Thomas H. Karamessines

14 OCT 1966

A Deputy Director for Plans

Concur:

No Legal Objection

/s/ John S. Warner

for General Counsel

/s/ Emmett D. Echols

Director of Personnel

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